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FACEBOOK, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

14 FACEBOOK, INC.,

15 Plaintiffs,

16 v.

17 POWER VENTURES, INC. a Cayman Island
Corporation,; STEVE VACHANI, an
18 individual; DOE 1, d/b/a POWER.COM,
19 DOES 2-25, inclusive,

20 Defendants.

Case No. 5:08-cv-05780 JW

**FACEBOOK INC.'S MOTION FOR
ADMINISTRATIVE RELIEF TO
FILE UNDER SEAL, PURSUANT TO
CIVIL LOCAL RULE 79-5(B)**

Dept: Courtroom 9, 19th Floor
Judge: Honorable James Ware

Pursuant to Civil Local Rule 79-5(b), Facebook Inc. respectfully submits this Motion for Administrative Relief to File under Seal the following: 1) portions of Exhibits 8 and 9 attached to the Declaration of Morvarid Metanat in Support of Facebook's Motion for Partial Summary Judgment under California Penal Code § 502 and the Computer Fraud and Abuse Act, 18 U.S.C. § 1030 ("Metanat Decl."); and 2) portions of Facebook's Motion for Partial Summary Judgment under California Penal Code § 502 and the Computer Fraud and Abuse Act, 18 U.S.C. § 1030. This Motion is accompanied by the Declaration of Theresa A. Sutton in Support of Facebook's Administrative Motion ("Sutton Decl.") as well as the attached Proposed Order.

Pursuant to the parties' February 4, 2011 Protective Order (Dkt. No. 95), Facebook has designated as "Highly Confidential—Attorneys' Eyes Only," portions of Exhibit 8 (the Declaration of Joseph Cutler in Support of Facebook's Motion for Partial Summary Judgment for Liability under the CAN-SPAM Act and Exhibits attached thereto), and Exhibit 9 (the Declaration of Ryan McGeehan in Support of Facebook's Motion for Partial Summary Judgment for Liability under the CAN-SPAM Act and Exhibits attached thereto). These Exhibits contain commercially sensitive and propriety information that has not been disclosed publicly. As described in the Sutton Declaration attached hereto, a compelling need exists to maintain the secrecy of portions of these Exhibits and portions of Facebook's Motion for Partial Summary Judgment. Facebook, therefore, respectfully requests that the Court grant its Motion for Administrative Relief to Seal portions of these documents, as detailed in the Sutton Declaration.

Dated: November 17, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Theresa A. Sutton /s/

THERESA A. SUTTON
Attorneys for Plaintiff
FACEBOOK, INC.